

Turning Back the Clock on Environmental and Public Health Protection

By Betsy Southerland

Today we are experiencing the Trump EPA's juggernaut of over 70 regulation repeals, actions which are so radical that many industry leaders oppose them even when they are the alleged beneficiaries. I worked at EPA during transitions for three presidential administrations over more than 30 years, and while an incoming administration often abandoned or rewrote a rule that had not yet been proposed, it never undertook a wholesale repeal of rules that had been duly promulgated. We are in uncharted territory in terms of the number and speed of the repeals underway in this administration, even for rules promulgated as far back as 2012.

Our country is broken now, and each and every one of us needs to devote our energy and expertise to putting it back together. The country has been broken by an executive branch that is dedicated to satisfying every demand from their political donors no matter how harmful to the American people; broken by a constant assault on the rule of law, as critical public health and worker protections are repealed solely to maximize corporate profits; and broken by an administration that denies and systematically suppresses scientific facts and expertise.

At Trump's EPA, the attacks on science have been more severe and all-encompassing than at other federal agencies. That is because the administration rightly fears that their deregulation efforts will not survive judicial review unless they can dismiss the science underlying the rules being repealed. Environmental groups and Democratic attorneys general have filed more than 100 lawsuits challenging these rollbacks. To date, 28 cases have been resolved, and the administration has prevailed in only two of them, according to the New York University Law School tracking system.

Here is a list of the seven most egregious actions the Trump administration has taken at EPA to dismiss the science underlying previous rules and silence scientists:

- 1) They immediately stripped discussion of climate change impacts from all websites and reports;
- 2) Based on bogus conflict-of-interest reasons, they replaced university scientists with industry and state government scientists on all science advisory boards and claimed time constraints required them to disband expert panels for two major air pollutants;
- 3) They announced that EPA will now leave it up to the states to develop safe levels for unregulated contaminants in drinking water, despite state requests for nationally consistent drinking water health advisories;
- 4) They proposed a drinking water standard for the toxic chemical perchlorate that is set at an indefensibly high level in order to eliminate the need for regulation;

- 5) They refused to ban workers' use of two different pesticides, a toxic paint stripper, and asbestos-containing products, all known to cause serious illnesses in workers;
- 6) They proposed a rule that prohibits EPA from using public health studies to set air and water quality standards unless participants waive their rights to privacy, effectively eliminating agency use of the key health studies underlying all clean air and water regulations; and
- 7) They changed the way the benefits of environmental regulations have been calculated over the past 50 years so that EPA can significantly underestimate benefits and falsely claim that the rules they are repealing have benefits far less than the costs they impose.

It is critically important that EPA scientists speak out, either as whistleblowers inside government or as activists once they leave government, so the American people will understand what the Trump administration is doing to long-standing environmental protections that the public used to take for granted. Based on my experience, EPA spokespersons will go to great lengths to discredit the views and motivations of scientists who speak out. Despite this, EPA scientists must speak the truth.

Speaking the truth is exactly what the Environmental Protection Network has been doing since its formation in 2017. EPN currently has over 480 former EPA career staff and political appointees from both parties who volunteer their time to provide an informed and rigorous defense against this administration's efforts to undermine public health and environmental protections. As a member of EPN, I am so impressed with the dedication of these volunteers, some of whom have been retired for over 10 years and are still passionate about their work. We prepare written comments on EPA's proposed rules to make certain the public record reflects our institutional knowledge. The EPN website includes all the comments filed with expert critiques of regulatory rollbacks and new rules that restrict EPA's access to the best available science. Every week we spend hours responding to requests from reporters throughout the country, many of whom rarely cover environmental issues and need our help to understand the impact of agency actions. In addition, we provide information and witnesses for congressional committees. Help from outside experts is especially needed now by congressional committees since they can no longer depend on unbiased technical assistance from EPA scientists whose responses to congressional questions are controlled by political appointees.

I will end my remarks today by repeating the prediction I made when I resigned from EPA in 2017. It will take a few years, but I am confident that Congress and the courts will eventually restore all the environmental protections that this administration is taking away from us because government must be held responsible for protecting the public's health and well-being. And in 2019, I am equally confident that EPN will be one of the leaders helping Congress and the courts restore those protections.

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